

108TH CONGRESS
1ST SESSION

H. R. 14

To amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2003

Mr. HOEKSTRA (for himself, Mr. BOEHNER, Mr. DELAY, Mr. GEORGE MILLER of California, and Mr. GREENWOOD) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Keeping Children and Families Safe Act of 2003”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—CHILD ABUSE PREVENTION AND TREATMENT ACT

Sec. 101. Findings.

Subtitle A—General Program

- Sec. 111. National Clearinghouse for Information Relating to Child Abuse.
- Sec. 112. Research and assistance activities and demonstrations.
- Sec. 113. Grants to States and public or private agencies and organizations.
- Sec. 114. Grants to States for child abuse and neglect prevention and treatment programs.
- Sec. 115. Authorization of appropriations.
- Sec. 116. Reports.

Subtitle B—Community-Based Grants for the Prevention of Child Abuse

- Sec. 121. Purpose and authority.
- Sec. 122. Eligibility.
- Sec. 123. Amount of grant.
- Sec. 124. Existing grants.
- Sec. 125. Application.
- Sec. 126. Local program requirements.
- Sec. 127. Performance measures.
- Sec. 128. National network for community-based family resource programs.
- Sec. 129. Definitions.
- Sec. 130. Authorization of appropriations.

Subtitle C—Conforming Amendments

- Sec. 141. Conforming amendments.

TITLE II—ADOPTION OPPORTUNITIES

- Sec. 201. Congressional findings and declaration of purpose.
- Sec. 202. Information and services.
- Sec. 203. Study of adoption placements.
- Sec. 204. Studies on successful adoptions.
- Sec. 205. Authorization of appropriations.

TITLE III—ABANDONED INFANTS ASSISTANCE

- Sec. 301. Findings.
- Sec. 302. Establishment of local programs.
- Sec. 303. Evaluations, study, and reports by Secretary.
- Sec. 304. Authorization of appropriations.
- Sec. 305. Definitions.

TITLE IV—FAMILY VIOLENCE PREVENTION AND SERVICES ACT

- Sec. 401. State demonstration grants.
- Sec. 402. Secretarial responsibilities.
- Sec. 403. Evaluation.
- Sec. 404. Information and technical assistance centers.
- Sec. 405. Authorization of appropriations.
- Sec. 406. Grants for State domestic violence coalitions.
- Sec. 407. Evaluation and monitoring.
- Sec. 408. Family member abuse information and documentation project.
- Sec. 409. Model State leadership grants.
- Sec. 410. National domestic violence hotline grant.
- Sec. 411. Youth education and domestic violence.

Sec. 412. Demonstration grants for community initiatives.

Sec. 413. Transitional housing assistance.

Sec. 414. Technical and conforming amendments.

1 TITLE I—CHILD ABUSE PREVEN- **2 TION AND TREATMENT ACT**

3 SEC. 101. FINDINGS.

4 Section 2 of the Child Abuse Prevention and Treat-
5 ment Act (42 U.S.C. 5101 note) is amended—

6 (1) in paragraph (1), by striking “close to
7 1,000,000” and inserting “approximately 900,000”;

8 (2) by redesignating paragraphs (2) through
9 (11) as paragraphs (4) through (13), respectively;

10 (3) by inserting after paragraph (1) the fol-
11 lowing:

12 “(2)(A) more children suffer neglect than any
13 other form of maltreatment; and

14 “(B) investigations have determined that ap-
15 proximately 63 percent of children who were victims
16 of maltreatment in 2000 suffered neglect, 19 percent
17 suffered physical abuse, 10 percent suffered sexual
18 abuse, and 8 percent suffered emotional maltreat-
19 ment;

20 “(3)(A) child abuse can result in the death of
21 a child;

22 “(B) in 2000, an estimated 1,200 children were
23 counted by child protection services to have died as
24 a result of abuse or neglect; and

1 “(C) children younger than 1 year old com-
2 prised 44 percent of child abuse fatalities and 85
3 percent of child abuse fatalities were younger than
4 6 years of age;”;

5 (4) by striking paragraph (4) (as so redesign-
6 nated), and inserting the following:

7 “(4)(A) many of these children and their fami-
8 lies fail to receive adequate protection and treat-
9 ment;

10 “(B) slightly less than half of these children
11 (45 percent in 2000) and their families fail to re-
12 ceive adequate protection or treatment; and

13 “(C) in fact, approximately 80 percent of all
14 children removed from their homes and placed in
15 foster care in 2000, as a result of an investigation
16 or assessment conducted by the child protective serv-
17 ices agency, received no services;”;

18 (5) in paragraph (5) (as so redesignated)—

19 (A) in subparagraph (A), by striking “or-
20 ganizations” and inserting “community-based
21 organizations”;

22 (B) in subparagraph (D), by striking “en-
23 sures” and all that follows through “knowl-
24 edge,” and inserting “recognizes the need for

1 properly trained staff with the qualifications
2 needed”; and

3 (C) in subparagraph (E), by inserting be-
4 fore the semicolon the following: “, which may
5 impact child rearing patterns, while at the same
6 time, not allowing those differences to enable
7 abuse”;

8 (6) in paragraph (7) (as so redesignated), by
9 striking “this national child and family emergency”
10 and inserting “child abuse and neglect”; and

11 (7) in paragraph (9) (as so redesignated)—

12 (A) by striking “intensive” and inserting
13 “needed”; and

14 (B) by striking “if removal has taken
15 place” and inserting “where appropriate”.

16 **Subtitle A—General Program**

17 **SEC. 111. NATIONAL CLEARINGHOUSE FOR INFORMATION** 18 **RELATING TO CHILD ABUSE.**

19 (a) FUNCTIONS.—Section 103(b) of the Child Abuse
20 Prevention and Treatment Act (42 U.S.C. 5104(b)) is
21 amended—

22 (1) in paragraph (1), by striking “all pro-
23 grams,” and all that follows through “neglect; and”
24 and inserting “all effective programs, including pri-
25 vate and community-based programs, that show

1 promise of success with respect to the prevention,
2 assessment, identification, and treatment of child
3 abuse and neglect and hold the potential for broad
4 scale implementation and replication;”;

5 (2) in paragraph (2), by striking the period and
6 inserting a semicolon;

7 (3) by redesignating paragraph (2) as para-
8 graph (3);

9 (4) by inserting after paragraph (1) the fol-
10 lowing:

11 “(2) maintain information about the best prac-
12 tices used for achieving improvements in child pro-
13 tective systems;”; and

14 (5) by adding at the end the following:

15 “(4) provide technical assistance upon request
16 that may include an evaluation or identification of—

17 “(A) various methods and procedures for
18 the investigation, assessment, and prosecution
19 of child physical and sexual abuse cases;

20 “(B) ways to mitigate psychological trau-
21 ma to the child victim; and

22 “(C) effective programs carried out by the
23 States under this Act; and

1 “(5) collect and disseminate information relat-
2 ing to various training resources available at the
3 State and local level to—

4 “(A) individuals who are engaged, or who
5 intend to engage, in the prevention, identifica-
6 tion, and treatment of child abuse and neglect;
7 and

8 “(B) appropriate State and local officials
9 to assist in training law enforcement, legal, ju-
10 dicial, medical, mental health, education, and
11 child welfare personnel.”.

12 (b) COORDINATION WITH AVAILABLE RESOURCES.—
13 Section 103(c)(1) of the Child Abuse Prevention and
14 Treatment Act (42 U.S.C. 5104(c)(1)) is amended—

15 (1) in subparagraph (E), by striking “105(a);
16 and” and inserting “104(a);”;

17 (2) by redesignating subparagraph (F) as sub-
18 paragraph (G); and

19 (3) by inserting after subparagraph (E) the fol-
20 lowing:

21 “(F) collect and disseminate information
22 that describes best practices being used
23 throughout the Nation for making appropriate
24 referrals related to, and addressing, the phys-

1 ical, developmental, and mental health needs of
 2 abused and neglected children; and”.

3 **SEC. 112. RESEARCH AND ASSISTANCE ACTIVITIES AND**
 4 **DEMONSTRATIONS.**

5 (a) RESEARCH.—Section 104(a) of the Child Abuse
 6 Prevention and Treatment Act (42 U.S.C. 5105(a)) is
 7 amended—

8 (1) in paragraph (1)—

9 (A) in the matter preceding subparagraph
 10 (A), in the first sentence, by inserting “, includ-
 11 ing longitudinal research,” after “interdiscipli-
 12 nary program of research”; and

13 (B) in subparagraph (B), by inserting be-
 14 fore the semicolon the following: “, including
 15 the effects of abuse and neglect on a child’s de-
 16 velopment and the identification of successful
 17 early intervention services or other services that
 18 are needed”;

19 (C) in subparagraph (C)—

20 (i) by striking “judicial procedures”
 21 and inserting “judicial systems, including
 22 multidisciplinary, coordinated decision-
 23 making procedures”; and

24 (ii) by striking “and” at the end; and

25 (D) in subparagraph (D)—

1 (i) in clause (viii), by striking “and”
2 at the end;

3 (ii) by redesignating clause (ix) as
4 clause (x); and

5 (iii) by inserting after clause (viii), the
6 following:

7 “(ix) the incidence and prevalence of
8 child maltreatment by a wide array of de-
9 mographic characteristics such as age, sex,
10 race, family structure, household relation-
11 ship (including the living arrangement of
12 the resident parent and family size), school
13 enrollment and education attainment, dis-
14 ability, grandparents as caregivers, labor
15 force status, work status in previous year,
16 and income in previous year; and”;

17 (E) by redesignating subparagraph (D) as
18 subparagraph (I); and

19 (F) by inserting after subparagraph (C),
20 the following:

21 “(D) the evaluation and dissemination of
22 best practices consistent with the goals of
23 achieving improvements in the child protective
24 services systems of the States in accordance

1 with paragraphs (1) through (12) of section
2 106(a);

3 “(E) effective approaches to interagency
4 collaboration between the child protection sys-
5 tem and the juvenile justice system that im-
6 prove the delivery of services and treatment, in-
7 cluding methods for continuity of treatment
8 plan and services as children transition between
9 systems;

10 “(F) an evaluation of the redundancies
11 and gaps in the services in the field of child
12 abuse and neglect prevention in order to make
13 better use of resources;

14 “(G) the nature, scope, and practice of vol-
15 untary relinquishment for foster care or State
16 guardianship of low income children who need
17 health services, including mental health serv-
18 ices;

19 “(H) the information on the national inci-
20 dence of child abuse and neglect specified in
21 clauses (i) through (xi) of subparagraph (H);
22 and”;

23 (2) in paragraph (2), by striking subparagraph
24 (B) and inserting the following:

1 “(B) Not later than 2 years after the date
2 of enactment of the Keeping Children and
3 Families Safe Act of 2003, and every 2 years
4 thereafter, the Secretary shall provide an oppor-
5 tunity for public comment concerning the prior-
6 ities proposed under subparagraph (A) and
7 maintain an official record of such public com-
8 ment.”;

9 (3) by redesignating paragraph (2) as para-
10 graph (4);

11 (4) by inserting after paragraph (1) the fol-
12 lowing:

13 “(2) RESEARCH.—The Secretary shall conduct
14 research on the national incidence of child abuse and
15 neglect, including the information on the national in-
16 cidence on child abuse and neglect specified in sub-
17 paragraphs (i) through (ix) of paragraph (1)(I).

18 “(3) REPORT.—Not later than 4 years after the
19 date of the enactment of the Keeping Children and
20 Families Safe Act of 2003, the Secretary shall pre-
21 pare and submit to the Committee on Education and
22 the Workforce of the House of Representatives and
23 the Committee on Health, Education, Labor and
24 Pensions of the Senate a report that contains the re-

1 sults of the research conducted under paragraph
2 (2).”.

3 (b) PROVISION OF TECHNICAL ASSISTANCE.—Sec-
4 tion 104(b) of the Child Abuse Prevention and Treatment
5 Act (42 U.S.C. 5105(b)) is amended—

6 (1) in paragraph (1)—

7 (A) by striking “nonprofit private agencies
8 and” and inserting “private agencies and com-
9 munity-based”; and

10 (B) by inserting “, including replicating
11 successful program models,” after “programs
12 and activities”; and

13 (2) in paragraph (2)—

14 (A) in subparagraph (B), by striking
15 “and” at the end;

16 (B) in subparagraph (C), by striking the
17 period and inserting “; and”; and

18 (C) by adding at the end the following:

19 “(D) effective approaches being utilized to
20 link child protective service agencies with health
21 care, mental health care, and developmental
22 services to improve forensic diagnosis and
23 health evaluations, and barriers and shortages
24 to such linkages.”.

1 (c) DEMONSTRATION PROGRAMS AND PROJECTS.—
2 Section 104 of the Child Abuse Prevention and Treatment
3 Act (42 U.S.C. 5105) is amended by adding at the end
4 the following:

5 “(e) DEMONSTRATION PROGRAMS AND PROJECTS.—
6 The Secretary may award grants to, and enter into con-
7 tracts with, States or public or private agencies or organi-
8 zations (or combinations of such agencies or organiza-
9 tions) for time-limited, demonstration projects for the fol-
10 lowing:

11 “(1) PROMOTION OF SAFE, FAMILY-FRIENDLY
12 PHYSICAL ENVIRONMENTS FOR VISITATION AND EX-
13 CHANGE.—The Secretary may award grants under
14 this subsection to entities to assist such entities in
15 establishing and operating safe, family-friendly phys-
16 ical environments—

17 “(A) for court-ordered, supervised visita-
18 tion between children and abusing parents; and

19 “(B) to safely facilitate the exchange of
20 children for visits with noncustodial parents in
21 cases of domestic violence.

22 “(2) EDUCATION IDENTIFICATION, PREVEN-
23 TION, AND TREATMENT.—The Secretary may award
24 grants under this subsection to entities for projects
25 that provide educational identification, prevention,

1 and treatment services in cooperation with preschool
 2 and elementary and secondary schools.

3 “(3) RISK AND SAFETY ASSESSMENT TOOLS.—
 4 The Secretary may award grants under this sub-
 5 section to entities for projects that provide for the
 6 development of research-based risk and safety as-
 7 sessment tools relating to child abuse and neglect.

8 “(4) TRAINING.—The Secretary may award
 9 grants under this subsection to entities for projects
 10 that involve research-based innovative training for
 11 mandated child abuse and neglect reporters.”.

12 **SEC. 113. GRANTS TO STATES AND PUBLIC OR PRIVATE**
 13 **AGENCIES AND ORGANIZATIONS.**

14 (a) DEMONSTRATION PROGRAMS AND PROJECTS.—
 15 Section 105(a) of the Child Abuse Prevention and Treat-
 16 ment Act (42 U.S.C. 5106(a)) is amended—

17 (1) in the subsection heading, by striking
 18 “DEMONSTRATION” and inserting “GRANTS FOR”;

19 (2) in the matter preceding paragraph (1)—

20 (A) by inserting “States,” after “contracts
 21 with,”;

22 (B) by striking “nonprofit”; and

23 (C) by striking “time limited, demonstra-
 24 tion”;

25 (3) in paragraph (1)—

1 (A) in subparagraph (A), by striking “law,
2 education, social work, and other relevant
3 fields” and inserting “law enforcement, judici-
4 ary, social work and child protection, education,
5 and other relevant fields, or individuals such as
6 court appointed special advocates (CASAs) and
7 guardian ad litem,”;

8 (B) in subparagraph (B), by striking “non-
9 profit” and all that follows through “; and” and
10 inserting “children, youth and family service or-
11 ganizations in order to prevent child abuse and
12 neglect;”;

13 (C) in subparagraph (C), by striking the
14 period and inserting a semicolon;

15 (D) by adding at the end the following:

16 “(D) for training to support the enhance-
17 ment of linkages between child protective serv-
18 ice agencies and health care agencies, including
19 physical and mental health services, to improve
20 forensic diagnosis and health evaluations and
21 for innovative partnerships between child pro-
22 tective service agencies and health care agencies
23 that offer creative approaches to using existing
24 Federal, State, local, and private funding to
25 meet the health evaluation needs of children

1 who have been subjects of substantiated cases
2 of child abuse or neglect;

3 “(E) for the training of personnel in best
4 practices to promote collaboration with the fam-
5 ilies from the initial time of contact during the
6 investigation through treatment;

7 “(F) for the training of personnel regard-
8 ing the legal duties of such personnel and their
9 responsibilities to protect the legal rights of
10 children and families;

11 “(G) for improving the training of super-
12 visory and nonsupervisory child welfare work-
13 ers;

14 “(H) for enabling State child welfare agen-
15 cies to coordinate the provision of services with
16 State and local health care agencies, alcohol
17 and drug abuse prevention and treatment agen-
18 cies, mental health agencies, and other public
19 and private welfare agencies to promote child
20 safety, permanence, and family stability;

21 “(I) for cross training for child protective
22 service workers in research-based methods for
23 recognizing situations of substance abuse, do-
24 mestic violence, and neglect; and

1 “(J) for developing, implementing, or oper-
2 ating information and education programs or
3 training programs designed to improve the pro-
4 vision of services to disabled infants with life-
5 threatening conditions for—

6 “(i) professionals and paraprofessional
7 personnel concerned with the welfare of
8 disabled infants with life-threatening con-
9 ditions, including personnel employed in
10 child protective services programs and
11 health care facilities; and

12 “(ii) the parents of such infants.”;

13 (4) by redesignating paragraph (2) and (3) as
14 paragraphs (3) and (4), respectively;

15 (5) by inserting after paragraph (1), the fol-
16 lowing:

17 “(2) TRIAGE PROCEDURES.—The Secretary
18 may award grants under this subsection to public
19 and private agencies that demonstrate innovation in
20 responding to reports of child abuse and neglect, in-
21 cluding programs of collaborative partnerships be-
22 tween the State child protective services agency,
23 community social service agencies and family sup-
24 port programs, law enforcement agencies, develop-
25 mental disability agencies, substance abuse treat-

1 ment entities, health care entities, domestic violence
 2 prevention entities, mental health service entities,
 3 schools, churches and synagogues, and other commu-
 4 nity agencies, to allow for the establishment of a
 5 triage system that—

6 “(A) accepts, screens, and assesses reports
 7 received to determine which such reports re-
 8 quire an intensive intervention and which re-
 9 quire voluntary referral to another agency, pro-
 10 gram, or project;

11 “(B) provides, either directly or through
 12 referral, a variety of community-linked services
 13 to assist families in preventing child abuse and
 14 neglect; and

15 “(C) provides further investigation and in-
 16 tensive intervention where the child’s safety is
 17 in jeopardy.”;

18 (6) in paragraph (3) (as so redesignated), by
 19 striking “(such as Parents Anonymous)”;

20 (7) in paragraph (4) (as so redesignated)—

21 (A) by striking the paragraph heading;

22 (B) by striking subparagraphs (A) and
 23 (C); and

24 (C) in subparagraph (B)—

1 (i) by striking “(B) KINSHIP
2 CARE.—” and inserting the following:

3 “(4) KINSHIP CARE.—

4 “(A) IN GENERAL.—”; and

5 (ii) by striking “nonprofit”; and

6 (8) by adding at the end the following:

7 “(5) LINKAGES BETWEEN CHILD PROTECTIVE
8 SERVICE AGENCIES AND PUBLIC HEALTH, MENTAL
9 HEALTH, AND DEVELOPMENTAL DISABILITIES AGEN-
10 CIES.—The Secretary may award grants to entities
11 that provide linkages between State or local child
12 protective service agencies and public health, mental
13 health, and developmental disabilities agencies, for
14 the purpose of establishing linkages that are de-
15 signed to help assure that a greater number of sub-
16 stantiated victims of child maltreatment have their
17 physical health, mental health, and developmental
18 needs appropriately diagnosed and treated.”.

19 (b) DISCRETIONARY GRANTS.—Section 105(b) of the
20 Child Abuse Prevention and Treatment Act (42 U.S.C.
21 5106(b)) is amended—

22 (1) by striking paragraph (1);

23 (2) by redesignating paragraphs (2) and (3) as
24 paragraphs (1) and (2), respectively;

1 (3) by inserting after paragraph (2) (as so re-
2 designated), the following:

3 “(3) Programs based within children’s hospitals
4 or other pediatric and adolescent care facilities, that
5 provide model approaches for improving medical di-
6 agnosis of child abuse and neglect and for health
7 evaluations of children for whom a report of mal-
8 treatment has been substantiated.”; and

9 (4) in paragraph (4)(D), by striking “non-
10 profit”.

11 (c) EVALUATION.—Section 105(c) of the Child Abuse
12 Prevention and Treatment Act (42 U.S.C. 5106(c)) is
13 amended—

14 (1) in the first sentence, by striking “dem-
15 onstration”;

16 (2) in the second sentence, by inserting “or
17 contract” after “or as a separate grant”; and

18 (3) by adding at the end the following: “In the
19 case of an evaluation performed by the recipient of
20 a grant, the Secretary shall make available technical
21 assistance for the evaluation, where needed, includ-
22 ing the use of a rigorous application of scientific
23 evaluation techniques.”.

24 (d) TECHNICAL AMENDMENT TO HEADING.—The
25 section heading for section 105 of the Child Abuse Preven-

tion and Treatment Act (42 U.S.C. 5106) is amended to
read as follows:

**“SEC. 105. GRANTS TO STATES AND PUBLIC OR PRIVATE
AGENCIES AND ORGANIZATIONS.”.**

**SEC. 114. GRANTS TO STATES FOR CHILD ABUSE AND NE-
GLECT PREVENTION AND TREATMENT PRO-
GRAMS.**

(a) DEVELOPMENT AND OPERATION GRANTS.—Sec-
tion 106(a) of the Child Abuse Prevention and Treatment
Act (42 U.S.C. 5106a(a)) is amended—

(1) in paragraph (3)—

(A) by inserting “, including ongoing case
monitoring,” after “case management”; and

(B) by inserting “and treatment” after
“and delivery of services”;

(2) in paragraph (4), by striking “improving”
and all that follows through “referral systems” and
inserting “developing, improving, and implementing
risk and safety assessment tools and protocols”;

(3) by striking paragraph (7);

(4) by redesignating paragraphs (5), (6), (8),
and (9) as paragraphs (6), (8), (9), and (12), re-
spectively;

(5) by inserting after paragraph (4), the fol-
lowing:

1 “(5) developing and updating systems of tech-
2 nology that support the program and track reports
3 of child abuse and neglect from intake through final
4 disposition and allow interstate and intrastate infor-
5 mation exchange;”;

6 (6) in paragraph (6) (as so redesignated), by
7 striking “opportunities” and all that follows through
8 “system” and inserting “including training regard-
9 ing research-based practices to promote collaboration
10 with the families and the legal duties of such indi-
11 viduals”;

12 (7) by inserting after paragraph (6) (as so re-
13 designated) the following:

14 “(7) improving the skills, qualifications, and
15 availability of individuals providing services to chil-
16 dren and families, and the supervisors of such indi-
17 viduals, through the child protection system, includ-
18 ing improvements in the recruitment and retention
19 of caseworkers;”;

20 (8) by striking paragraph (9) (as so redesign-
21 ated), and inserting the following:

22 “(9) developing and facilitating research-based
23 training protocols for individuals mandated to report
24 child abuse or neglect;

1 “(10) developing, implementing, or operating
2 programs to assist in obtaining or coordinating nec-
3 essary services for families of disabled infants with
4 life-threatening conditions, including—

5 “(A) existing social and health services;

6 “(B) financial assistance; and

7 “(C) services necessary to facilitate adop-
8 tive placement of any such infants who have
9 been relinquished for adoption;

10 “(11) developing and delivering information to
11 improve public education relating to the role and re-
12 sponsibilities of the child protection system and the
13 nature and basis for reporting suspected incidents of
14 child abuse and neglect;”;

15 (9) in paragraph (12) (as so redesignated), by
16 striking the period and inserting a semicolon; and

17 (10) by adding at the end the following:

18 “(13) supporting and enhancing interagency
19 collaboration between the child protection system
20 and the juvenile justice system for improved delivery
21 of services and treatment, including methods for
22 continuity of treatment plan and services as children
23 transition between systems; or

24 “(14) supporting and enhancing collaboration
25 among public health agencies, the child protection

1 system, and private community-based programs to
 2 provide child abuse and neglect prevention and
 3 treatment services (including linkages with education
 4 systems) and to address the health needs, including
 5 mental health needs, of children identified as abused
 6 or neglected, including supporting prompt, com-
 7 prehensive health and developmental evaluations for
 8 children who are the subject of substantiated child
 9 maltreatment reports.”.

10 (b) ELIGIBILITY REQUIREMENTS.—

11 (1) IN GENERAL.—Section 106(b) of the Child
 12 Abuse Prevention and Treatment Act (42 U.S.C.
 13 5106a(b)) is amended—

14 (A) in paragraph (1)(B)—

15 (i) by striking “provide notice to the
 16 Secretary of any substantive changes” and
 17 inserting the following: “ provide notice to
 18 the Secretary—

19 “(i) of any substantive changes; and”;

20 (ii) by striking the period and insert-
 21 ing “; and”; and

22 (iii) by adding at the end the fol-
 23 lowing:

24 “(ii) any significant changes to how
 25 funds provided under this section are used

1 to support the activities which may differ
2 from the activities as described in the cur-
3 rent State application.”;

4 (B) in paragraph (2)(A)—

5 (i) by redesignating clauses (ii), (iii),
6 (iv), (v), (vi), (vii), (viii), (ix), (x), (xi),
7 (xii), and (xiii) as clauses (iii), (v), (vi),
8 (vii), (ix), (x), (xi), (xii), (xiii), (xiv), (xv)
9 and (xvi), respectively;

10 (ii) by inserting after clause (i), the
11 following:

12 “(ii) policies and procedures to ad-
13 dress the needs of infants born and identi-
14 fied with fetal alcohol effects, fetal alcohol
15 syndrome, neonatal intoxication or with-
16 drawal syndrome, or neonatal physical or
17 neurological harm resulting from prenatal
18 drug exposure, including—

19 “(I) the requirement that health
20 care providers involved in the delivery
21 or care of such infants notify the child
22 protective services system of the oc-
23 currence of such condition in such in-
24 fants, except that such notification
25 shall not be construed to create a defi-

1 nition under Federal law of what con-
2 stitutes child abuse and such notifica-
3 tion shall not be construed to require
4 prosecution for any illegal action; and

5 “(II) the development of a safe
6 plan of care for the infant under
7 which consideration may be given to
8 providing the mother with health serv-
9 ices (including mental health services),
10 social services, parenting services, and
11 substance abuse prevention and treat-
12 ment counseling and to providing the
13 infant with referral to the statewide
14 early intervention program funded
15 under part C of the Individuals with
16 Disabilities Education Act for an eval-
17 uation for the need for services pro-
18 vided under part C of such Act;”;

19 (iii) in clause (iii) (as so redesign-
20 ated), by inserting “risk and” before
21 “safety”;

22 (iv) by inserting after clause (iii) (as
23 so redesignated), the following:

24 “(iv) triage procedures for the appro-
25 priate referral of a child not at risk of im-

1 minent harm to a community organization
2 or voluntary preventive service;”;

3 (v) in clause (vii)(II) (as so redesign-
4 nated), by striking “, having a need for
5 such information in order to carry out its
6 responsibilities under law to protect chil-
7 dren from abuse and neglect” and insert-
8 ing “, as described in clause (viii)”;

9 (vi) by inserting after clause (vii) (as
10 so redesignated), the following:

11 “(viii) provisions to require a State to
12 disclose confidential information to any
13 Federal, State, or local government entity,
14 or any agent of such entity, that has a
15 need for such information in order to carry
16 out its responsibilities under law to protect
17 children from abuse and neglect;”;

18 (vii) in clause (xii) (as so redesign-
19 nated)—

20 (I) by inserting “who has re-
21 ceived training appropriate to the role,
22 and” after “guardian ad litem,”; and

23 (II) by inserting “who has re-
24 ceived training appropriate to that
25 role” after “advocate”;

1 (viii) in clause (xiv) (as so redesign-
2 nated), by striking “to be effective not
3 later than 2 years after the date of enact-
4 ment of this section”;

5 (ix) in clause (xv) (as so redesign-
6 nated)—

7 (I) by striking “to be effective
8 not later than 2 years after the date
9 of enactment of this section”; and

10 (II) by striking “and” at the end;

11 (x) in clause (xvi) (as so redesign-
12 nated), by striking “clause (xii)” each
13 place that such appears and inserting
14 “clause (xv)”; and

15 (xi) by adding at the end the fol-
16 lowing:

17 “(xvii) provisions and procedures to
18 require that a representative of the child
19 protective services agency shall, at the ini-
20 tial time of contact with the individual sub-
21 ject to a child abuse and neglect investiga-
22 tion, advise the individual of the com-
23 plaints or allegations made against the in-
24 dividual, in a manner that is consistent

1 with laws protecting the rights of the in-
2 formant;

3 “(xviii) provisions addressing the
4 training of representatives of the child pro-
5 tective services system regarding the legal
6 duties of the representatives, which may
7 consist of various methods of informing
8 such representatives of such duties, in
9 order to protect the legal rights and safety
10 of children and families from the initial
11 time of contact during investigation
12 through treatment;

13 “(xix) provisions and procedures for
14 improving the training, retention, and su-
15 pervision of caseworkers;

16 “(xx) provisions and procedures for
17 referral of a child under the age of 3 who
18 is involved in a substantiated case of child
19 abuse or neglect to the statewide early
20 intervention program funded under part C
21 of the Individuals with Disabilities Edu-
22 cation Act for an evaluation for the need
23 of services provided under part C of such
24 Act; and

1 “(xxi) not later than 2 years after the
 2 date of enactment of the Keeping Children
 3 and Families Safe Act of 2003, provisions
 4 and procedures for requiring criminal
 5 background record checks for prospective
 6 foster and adoptive parents and other
 7 adult relatives and non-relatives residing in
 8 the household;”; and

9 (C) in paragraph (2), by adding at the end
 10 the following flush sentence:

11 “Nothing in subparagraph (A) shall be construed to
 12 limit the State’s flexibility to determine State poli-
 13 cies relating to public access to court proceedings to
 14 determine child abuse and neglect.”.

15 (2) LIMITATION.—Section 106(b)(3) of the
 16 Child Abuse Prevention and Treatment Act (42
 17 U.S.C. 5106a(b)(3)) is amended by striking “With
 18 regard to clauses (v) and (vi) of paragraph (2)(A)”
 19 and inserting “With regard to clauses (vi) and (vii)
 20 of paragraph (2)(A)”.

21 (c) CITIZEN REVIEW PANELS.—Section 106(c) of the
 22 Child Abuse Prevention and Treatment Act (42 U.S.C.
 23 5106a(c)) is amended—

24 (1) in paragraph (4)—

25 (A) in subparagraph (A)—

1 (i) in the matter preceding clause

2 (i)—

3 (I) by striking “and procedures”

4 and inserting “, procedures, and prac-

5 tices”; and

6 (II) by striking “the agencies”

7 and inserting “State and local child

8 protection system agencies”; and

9 (ii) in clause (iii)(I), by striking

10 “State” and inserting “State and local”;

11 and

12 (B) by adding at the end the following:

13 “(C) PUBLIC OUTREACH.—Each panel

14 shall provide for public outreach and comment

15 in order to assess the impact of current proce-

16 dures and practices upon children and families

17 in the community and in order to meet its obli-

18 gations under subparagraph (A).”; and

19 (2) in paragraph (6)—

20 (A) by striking “public” and inserting

21 “State and the public”; and

22 (B) by inserting before the period the fol-

23 lowing: “and recommendations to improve the

24 child protection services system at the State

25 and local levels. Not later than 6 months after

1 the date on which a report is submitted by the
2 panel to the State, the appropriate State agency
3 shall submit a written response to the State
4 and local child protection systems that describes
5 whether or how the State will incorporate the
6 recommendations of such panel (where appro-
7 priate) to make measurable progress in improv-
8 ing the State and local child protective system”.

9 (d) ANNUAL STATE DATA REPORTS.—Section
10 106(d) of the Child Abuse Prevention and Treatment Act
11 (42 U.S.C. 5106a(d)) is amended by adding at the end
12 the following:

13 “(13) The annual report containing the sum-
14 mary of the activities of the citizen review panels of
15 the State required by subsection (c)(6).

16 “(14) The number of children under the care of
17 the State child protection system who are trans-
18 ferred into the custody of the State juvenile justice
19 system.”.

20 (e) REPORT.—Not later than 2 years after the date
21 of enactment of this Act, the Secretary of Health and
22 Human Services shall prepare and submit to Congress a
23 report that describes the extent to which States are imple-
24 menting the policies and procedures required under sec-

tion 106(b)(2)(B)(ii) of the Child Abuse Prevention and Treatment Act.

SEC. 115. AUTHORIZATION OF APPROPRIATIONS.

(a) GENERAL AUTHORIZATION.—Section 112(a)(1) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106h(a)(1)) is amended to read as follows:

“(1) GENERAL AUTHORIZATION.—There are authorized to be appropriated to carry out this title \$120,000,000 for fiscal year 2004 and such sums as may be necessary for each of the fiscal years 2005 through 2008.”.

(b) DEMONSTRATION PROJECTS.—Section 112(a)(2)(B) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106h(a)(2)(B)) is amended—

(1) by striking “Secretary make” and inserting “Secretary shall make”; and

(2) by striking “section 106” and inserting “section 104”.

SEC. 116. REPORTS.

Section 110 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106f) is amended by adding at the end the following:

“(c) STUDY AND REPORT RELATING TO CITIZEN REVIEW PANELS.—

1 “(1) STUDY.—The Secretary shall conduct a
2 study by random sample of the effectiveness of the
3 citizen review panels established under section
4 106(c).

5 “(2) REPORT.—Not later than 3 years after the
6 date of enactment of the Keeping Children and
7 Families Safe Act of 2003, the Secretary shall sub-
8 mit to the Committee on Education and the Work-
9 force of the House of Representatives and the Com-
10 mittee on Health, Education, Labor, and Pensions
11 of the Senate a report that contains the results of
12 the study conducted under paragraph (1).”.

13 **Subtitle B—Community-Based**
14 **Grants for the Prevention of**
15 **Child Abuse**

16 **SEC. 121. PURPOSE AND AUTHORITY.**

17 (a) PURPOSE.—Section 201(a)(1) of the Child Abuse
18 Prevention and Treatment Act (42 U.S.C. 5116(a)(1)) is
19 amended to read as follows:

20 “(1) to support community-based efforts to de-
21 velop, operate, expand, enhance, and, where appro-
22 priate to network, initiatives aimed at the prevention
23 of child abuse and neglect, and to support networks
24 of coordinated resources and activities to better

1 strengthen and support families to reduce the likeli-
2 hood of child abuse and neglect; and”.

3 (b) AUTHORITY.—Section 201(b) of the Child Abuse
4 Prevention and Treatment Act (42 U.S.C. 5116(b)) is
5 amended—

6 (1) in paragraph (1)—

7 (A) in the matter preceding subparagraph
8 (A) by striking “Statewide” and all that follows
9 through the dash, and inserting “community-
10 based and prevention-focused programs and ac-
11 tivities designed to prevent child abuse and ne-
12 glect (through networks where appropriate)
13 that are accessible, effective, culturally appro-
14 priate, and build upon existing strengths
15 that—”;

16 (B) in subparagraph (F), by striking
17 “and” at the end; and

18 (C) by striking subparagraph (G) and in-
19 serting the following:

20 “(G) demonstrate a commitment to mean-
21 ingful parent leadership, including among par-
22 ents of children with disabilities, parents with
23 disabilities, racial and ethnic minorities, and
24 members of other underrepresented or under-
25 served groups; and

1 “(H) provide referrals to early health and
2 developmental services;” and

3 (2) in paragraph (4)—

4 (A) by inserting “through leveraging of
5 funds” after “maximizing funding”;

6 (B) by striking “a Statewide network of
7 community-based, prevention-focused” and in-
8 serting “community-based and prevention-foc-
9 cused”; and

10 (C) by striking “family resource and sup-
11 port program” and inserting “programs and ac-
12 tivities designed to prevent child abuse and ne-
13 glect (through networks where appropriate)”.

14 (c) TECHNICAL AMENDMENT TO TITLE HEADING.—
15 Title II of the Child Abuse Prevention and Treatment Act
16 (42 U.S.C. 5116) is amended by striking the heading for
17 such title and inserting the following:

18 **“TITLE II—COMMUNITY-BASED**
19 **GRANTS FOR THE PREVEN-**
20 **TION OF CHILD ABUSE AND**
21 **NEGLECT”.**

22 **SEC. 122. ELIGIBILITY.**

23 Section 202 of the Child Abuse Prevention and
24 Treatment Act (42 U.S.C. 5116a) is amended—

25 (1) in paragraph (1)—

1 (A) in subparagraph (A)—

2 (i) by striking “a Statewide network
3 of community-based, prevention-focused”
4 and inserting “community-based and pre-
5 vention-focused”; and

6 (ii) by striking “family resource and
7 support programs” and all that follows
8 through the semicolon and inserting “pro-
9 grams and activities designed to prevent
10 child abuse and neglect (through networks
11 where appropriate);”

12 (B) in subparagraph (B), by inserting
13 “that exists to strengthen and support families
14 to prevent child abuse and neglect” after “writ-
15 ten authority of the State”;

16 (2) in paragraph (2)—

17 (A) in subparagraph (A), by striking “a
18 network of community-based family resource
19 and support programs” and inserting “commu-
20 nity-based and prevention-focused programs
21 and activities designed to prevent child abuse
22 and neglect (through networks where appro-
23 priate);”

24 (B) in subparagraph (B)—

25 (i) by striking “to the network”; and

1 (ii) by inserting “, and parents with
2 disabilities” before the semicolon;

3 (C) in subparagraph (C), by striking “to
4 the network”; and

5 (3) in paragraph (3)—

6 (A) in subparagraph (A), by striking
7 “Statewide network of community-based, pre-
8 vention-focused, family resource and support
9 programs” and inserting “community-based and
10 prevention-focused programs and activities to
11 prevent child abuse and neglect (through net-
12 works where appropriate)”;

13 (B) in subparagraph (B), by striking
14 “Statewide network of community-based, pre-
15 vention-focused, family resource and support
16 programs” and inserting “community-based and
17 prevention-focused programs and activities to
18 prevent child abuse and neglect (through net-
19 works where appropriate)”;

20 (C) in subparagraph (C), by striking “and
21 training and technical assistance, to the State-
22 wide network of community-based, prevention-
23 focused, family resource and support programs”
24 and inserting “training, technical assistance,
25 and evaluation assistance, to community-based

1 and prevention-focused programs and activities
2 to prevent child abuse and neglect (through net-
3 works where appropriate)”; and

4 (D) in subparagraph (D), by inserting “,
5 parents with disabilities,” after “children with
6 disabilities”.

7 **SEC. 123. AMOUNT OF GRANT.**

8 Section 203(b)(1)(B) of the Child Abuse Prevention
9 and Treatment Act (42 U.S.C. 5116b(b)(1)(B)) is amend-
10 ed—

11 (1) by striking “as the amount leveraged by the
12 State from private, State, or other non-Federal
13 sources and directed through the” and inserting “as
14 the amount of private, State or other non-Federal
15 funds leveraged and directed through the currently
16 designated”; and

17 (2) by striking “the lead agency” and inserting
18 “the current lead agency”.

19 **SEC. 124. EXISTING GRANTS.**

20 Section 204 of the Child Abuse Prevention and
21 Treatment Act (42 U.S.C. 5115c) is repealed.

22 **SEC. 125. APPLICATION.**

23 Section 205 of the Child Abuse Prevention and
24 Treatment Act (42 U.S.C. 5116d) is amended—

1 (1) in paragraph (1), by striking “Statewide
2 network of community-based, prevention-focused,
3 family resource and support programs” and insert-
4 ing “community-based and prevention-focused pro-
5 grams and activities to prevent child abuse and ne-
6 glect (through networks where appropriate)”;

7 (2) in paragraph (2)—

8 (A) by striking “network of community-
9 based, prevention-focused, family resource and
10 support programs” and inserting “community-
11 based and prevention-focused programs and ac-
12 tivities to prevent child abuse and neglect
13 (through networks where appropriate)”;

14 (B) by striking “, including those funded
15 by programs consolidated under this Act,”;

16 (3) by striking paragraph (3), and inserting the
17 following:

18 “(3) a description of the inventory of current
19 unmet needs and current community-based and pre-
20 vention-focused programs and activities to prevent
21 child abuse and neglect, and other family resource
22 services operating in the State;”;

23 (4) in paragraph (4), by striking “State’s net-
24 work of community-based, prevention-focused, family
25 resource and support programs” and inserting

1 “community-based and prevention-focused programs
2 and activities designed to prevent child abuse and
3 neglect”;

4 (5) in paragraph (5), by striking “Statewide
5 network of community-based, prevention-focused,
6 family resource and support programs” and insert-
7 ing “start up, maintenance, expansion, and redesign
8 of community-based and prevention-focused pro-
9 grams and activities designed to prevent child abuse
10 and neglect”;

11 (6) in paragraph (7), by striking “individual
12 community-based, prevention-focused, family re-
13 source and support programs” and inserting “com-
14 munity-based and prevention-focused programs and
15 activities designed to prevent child abuse and ne-
16 glect”;

17 (7) in paragraph (8), by striking “community-
18 based, prevention-focused, family resource and sup-
19 port programs” and inserting “community-based
20 and prevention-focused programs and activities de-
21 signed to prevent child abuse and neglect”;

22 (8) in paragraph (9), by striking “community-
23 based, prevention-focused, family resource and sup-
24 port programs” and inserting “community-based

1 and prevention-focused programs and activities de-
 2 signed to prevent child abuse and neglect”;

3 (9) in paragraph (10), by inserting “(where ap-
 4 propriate)” after “members”;

5 (10) in paragraph (11), by striking “preven-
 6 tion-focused, family resource and support program”
 7 and inserting “community-based and prevention-fo-
 8 cused programs and activities designed to prevent
 9 child abuse and neglect”; and

10 (11) by redesignating paragraph (13) as para-
 11 graph (12).

12 **SEC. 126. LOCAL PROGRAM REQUIREMENTS.**

13 Section 206(a) of the Child Abuse Prevention and
 14 Treatment Act (42 U.S.C. 5116e(a)) is amended—

15 (1) in the matter preceding paragraph (1), by
 16 striking “prevention-focused, family resource and
 17 support programs” and inserting “and prevention-
 18 focused programs and activities designed to prevent
 19 child abuse and neglect”;

20 (2) in paragraph (3)—

21 (A) in subparagraph (A)—

22 (i) in the matter preceding clause (i),
 23 by striking “family resource and support
 24 services” and inserting “family support

1 services for the prevention of child abuse
2 and neglect”;

3 (ii) in clause (iii), by striking “and”
4 at the end; and

5 (iii) by adding at the end the fol-
6 lowing:

7 “(v) respite care;

8 “(vi) home visiting; and

9 “(vii) family support services”; and

10 (B) in subparagraph (B), by inserting
11 “voluntary home visiting and” after “includ-
12 ing”; and

13 (3) by striking paragraph (6) and inserting the
14 following:

15 “(6) participate with other community-based
16 and prevention-focused programs and activities to
17 prevent child abuse and neglect in the development,
18 operation and expansion of networks where appro-
19 priate.”.

20 **SEC. 127. PERFORMANCE MEASURES.**

21 Section 207 of the Child Abuse Prevention and
22 Treatment Act (42 U.S.C. 5116f) is amended—

23 (1) in paragraph (1), by striking “a Statewide
24 network of community-based, prevention-focused,
25 family resource and support programs” and insert-

1 ing “community-based and prevention-focused pro-
2 grams and activities to prevent child abuse and ne-
3 glect”;

4 (2) by striking paragraph (3), and inserting the
5 following:

6 “(3) shall demonstrate that they will have ad-
7 dressed unmet needs identified by the inventory and
8 description of current services required under section
9 205(3);”;

10 (3) in paragraph (4),

11 (A) by inserting “and parents with disabil-
12 ities,” after “children with disabilities,”; and

13 (B) by striking “evaluation of” the first
14 place it appears and all that follows through
15 “under this title” and inserting “evaluation of
16 community-based and prevention-focused pro-
17 grams and activities to prevent child abuse and
18 neglect, and in the design, operation and eval-
19 uation of the networks of such community-
20 based and prevention-focused programs”;

21 (4) in paragraph (5), by striking “, prevention-
22 focused, family resource and support programs” and
23 inserting “and prevention-focused programs and ac-
24 tivities designed to prevent child abuse and neglect”;

1 (5) in paragraph (6), by striking “Statewide
 2 network of community-based, prevention-focused,
 3 family resource and support programs” and insert-
 4 ing “community-based and prevention-focused pro-
 5 grams and activities designed to prevent child abuse
 6 and neglect”; and

7 (6) in paragraph (8), by striking “community
 8 based, prevention-focused, family resource and sup-
 9 port programs” and inserting “community-based
 10 and prevention-focused programs and activities de-
 11 signed to prevent child abuse and neglect”.

12 **SEC. 128. NATIONAL NETWORK FOR COMMUNITY-BASED**
 13 **FAMILY RESOURCE PROGRAMS.**

14 Section 208(3) of the Child Abuse Prevention and
 15 Treatment Act (42 U.S.C. 5116g(3)) is amended by strik-
 16 ing “Statewide networks of community-based, prevention-
 17 focused, family resource and support programs” and in-
 18 serting “community-based and prevention-focused pro-
 19 grams and activities designed to prevent child abuse and
 20 neglect”.

21 **SEC. 129. DEFINITIONS.**

22 (a) CHILDREN WITH DISABILITIES.—Section 209(1)
 23 of the Child Abuse Prevention and Treatment Act (42
 24 U.S.C. 5116h(1)) is amended by striking “given such term
 25 in section 602(a)(2)” and inserting “given the term ‘child

1 with a disability’ in section 602(3) or ‘infant or toddler
2 with a disability’ in section 632(5)’’.

3 (b) COMMUNITY-BASED AND PREVENTION-FOCUSED
4 PROGRAMS AND ACTIVITIES TO PREVENT CHILD ABUSE
5 AND NEGLECT.—Section 209 of the Child Abuse Preven-
6 tion and Treatment Act (42 U.S.C. 5116h) is amended
7 by striking paragraphs (3) and (4) and inserting the fol-
8 lowing:

9 “(3) COMMUNITY-BASED AND PREVENTION-FO-
10 CUSED PROGRAMS AND ACTIVITIES TO PREVENT
11 CHILD ABUSE AND NEGLECT.—The term ‘commu-
12 nity-based and prevention-focused programs and ac-
13 tivities to prevent child abuse and neglect’ includes
14 organizations such as family resource programs,
15 family support programs, voluntary home visiting
16 programs, respite care programs, parenting edu-
17 cation, mutual support programs, and other commu-
18 nity programs that provide activities that are de-
19 signed to prevent or respond to child abuse and ne-
20 glect.’’.

21 **SEC. 130. AUTHORIZATION OF APPROPRIATIONS.**

22 Section 210 of the Child Abuse Prevention and
23 Treatment Act (42 U.S.C. 5116i) is amended to read as
24 follows:

1 **“SEC. 210. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this title \$80,000,000 for fiscal year 2004 and such sums
4 as may be necessary for each of the fiscal years 2005
5 through 2008.”.

6 **Subtitle C—Conforming**
7 **Amendments**

8 **SEC. 141. CONFORMING AMENDMENTS.**

9 The table of contents of the Child Abuse Prevention
10 and Treatment Act, as contained in section 1(b) of such
11 Act (42 U.S.C. 5101 note), is amended as follows:

12 (1) By striking the item relating to section 105
13 and inserting the following:

“Sec. 105. Grants to States and public or private agencies and organizations.”.

14 (2) By striking the item relating to title II and
15 inserting the following:

“TITLE II—COMMUNITY-BASED GRANTS FOR THE PREVENTION
OF CHILD ABUSE AND NEGLECT”.

16 (3) By striking the item relating to section 204.

TITLE II—ADOPTION OPPORTUNITIES

SEC. 201. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.

Section 201 of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (42 U.S.C. 5111) is amended—

(1) in subsection (a)—

(A) by striking paragraphs (1) through (4) and inserting the following:

“(1) the number of children in substitute care has increased by nearly 24 percent since 1994, as our Nation’s foster care population included more than 565,000 as of September of 2001;

“(2) children entering foster care have complex problems that require intensive services, with many such children having special needs because they are born to mothers who did not receive prenatal care, are born with life threatening conditions or disabilities, are born addicted to alcohol or other drugs, or have been exposed to infection with the etiologic agent for the human immunodeficiency virus;

“(3) each year, thousands of children are in need of placement in permanent, adoptive homes;”;

(B) by striking paragraph (6);

1 (C) by striking paragraph (7)(A) and in-
 2 serting the following:

3 “(7)(A) currently, there are 131,000 children
 4 waiting for adoption;”; and

5 (D) by redesignating paragraphs (5), (7),
 6 (8), (9), and (10) as paragraphs (4), (5), (6),
 7 (7), and (8) respectively; and
 8 (2) in subsection (b)—

9 (A) in the matter preceding paragraph (1),
 10 by inserting “, including geographic barriers,”
 11 after “barriers”; and

12 (B) in paragraph (2), by striking “a na-
 13 tional” and inserting “an Internet-based na-
 14 tional”.

15 **SEC. 202. INFORMATION AND SERVICES.**

16 Section 203 of the Child Abuse Prevention and
 17 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
 18 5113) is amended—

19 (1) by striking the section heading and insert-
 20 ing the following:

21 **“SEC. 203. INFORMATION AND SERVICES.”;**

22 (2) by striking “SEC. 203. (a) The Secretary”
 23 and inserting the following:

24 “(a) IN GENERAL.—The Secretary”;

25 (3) in subsection (b)—

1 (A) by inserting “REQUIRED ACTIVI-
2 TIES.—” after “(b)”;

3 (B) in paragraph (1), by striking “non-
4 profit” each place that such appears;

5 (C) in paragraph (2), by striking “non-
6 profit”;

7 (D) in paragraph (3), by striking “non-
8 profit”;

9 (E) in paragraph (4), by striking “non-
10 profit”;

11 (F) in paragraph (6), by striking “study
12 the nature, scope, and effects of” and insert
13 “support”;

14 (G) in paragraph (7), by striking “non-
15 profit”;

16 (H) in paragraph (9)—

17 (i) by striking “nonprofit”; and

18 (ii) by striking “and” at the end;

19 (I) in paragraph (10)—

20 (i) by striking “nonprofit”; each place
21 that such appears; and

22 (ii) by striking the period at the end
23 and inserting “; and”; and

24 (J) by adding at the end the following:

1 “(11) provide (directly or by grant to or con-
 2 tract with States, local government entities, or pub-
 3 lic or private licensed child welfare or adoption agen-
 4 cies) for the implementation of programs that are
 5 intended to increase the number of older children
 6 (who are in foster care and with the goal of adop-
 7 tion) placed in adoptive families, with a special em-
 8 phasis on child-specific recruitment strategies, in-
 9 cluding—

10 “(A) outreach, public education, or media
 11 campaigns to inform the public of the needs
 12 and numbers of older youth available for adop-
 13 tion;

14 “(B) training of personnel in the special
 15 needs of older youth and the successful strate-
 16 gies of child-focused, child-specific recruitment
 17 efforts; and

18 “(C) recruitment of prospective families for
 19 such children.”;

20 (4) in subsection (c)—

21 (A) by striking “(c)(1) The Secretary” and
 22 inserting the following:

23 “(c) SERVICES FOR FAMILIES ADOPTING SPECIAL
 24 NEEDS CHILDREN.—

25 “(1) IN GENERAL.—The Secretary”;

1 (B) by striking “(2) Services” and insert-
 2 ing the following:

3 “(2) SERVICES.—Services”; and

4 (C) in paragraph (2)—

5 (i) by realigning the margins of sub-
 6 paragraphs (A) through (G) accordingly;

7 (ii) in subparagraph (F), by striking
 8 “and” at the end;

9 (iii) in subparagraph (G), by striking
 10 the period and inserting a semicolon; and

11 (iv) by adding at the end the fol-
 12 lowing:

13 “(H) day treatment; and

14 “(I) respite care.”; and

15 (D) by striking “nonprofit”; each place
 16 that such appears;

17 (5) in subsection (d)—

18 (A) by striking “(d)(1) The Secretary” and
 19 inserting the following:

20 “(d) IMPROVING PLACEMENT RATE OF CHILDREN IN
 21 FOSTER CARE.—

22 “(1) IN GENERAL.—The Secretary”;

23 (B) by striking “(2)(A) Each State” and
 24 inserting the following:

1 “(2) APPLICATIONS; TECHNICAL AND OTHER
2 ASSISTANCE.—

3 “(A) APPLICATIONS.—Each State”;

4 (C) by striking “(B) The Secretary” and
5 inserting the following:

6 “(B) TECHNICAL AND OTHER ASSIST-
7 ANCE.—The Secretary”;

8 (D) in paragraph (2)(B)—

9 (i) by realigning the margins of
10 clauses (i) and (ii) accordingly; and

11 (ii) by striking “nonprofit”;

12 (E) by striking “(3)(A) Payments” and in-
13 serting the following:

14 “(3) PAYMENTS.—

15 “(A) IN GENERAL.—Payments”; and

16 (F) by striking “(B) Any payment” and
17 inserting the following:

18 “(B) REVERSION OF UNUSED FUNDS.—

19 Any payment”; and

20 (6) by adding at the end the following:

21 “(e) ELIMINATION OF BARRIERS TO ADOPTIONS
22 ACROSS JURISDICTIONAL BOUNDARIES.—

23 “(1) IN GENERAL.—The Secretary shall award
24 grants to, or enter into contracts with, States, local
25 government entities, public or private child welfare

1 or adoption agencies, adoption exchanges, or adop-
2 tion family groups to carry out initiatives to improve
3 efforts to eliminate barriers to placing children for
4 adoption across jurisdictional boundaries.

5 “(2) SERVICES TO SUPPLEMENT NOT SUP-
6 PLANT.—Services provided under grants made under
7 this subsection shall supplement, not supplant, serv-
8 ices provided using any other funds made available
9 for the same general purposes including—

10 “(A) developing a uniform homestudy
11 standard and protocol for acceptance of
12 homestudies between States and jurisdictions;

13 “(B) developing models of financing cross-
14 jurisdictional placements;

15 “(C) expanding the capacity of all adoption
16 exchanges to serve increasing numbers of chil-
17 dren;

18 “(D) developing training materials and
19 training social workers on preparing and mov-
20 ing children across State lines; and

21 “(E) developing and supporting initiative
22 models for networking among agencies, adop-
23 tion exchanges, and parent support groups
24 across jurisdictional boundaries.”.

1 **SEC. 203. STUDY OF ADOPTION PLACEMENTS.**

2 Section 204 of the Child Abuse Prevention and
3 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
4 5114) is amended—

5 (1) by striking “The” and inserting “(a) IN
6 GENERAL.—The”;

7 (2) by striking “of this Act” and inserting “of
8 the Keeping Children and Families Safe Act of
9 2003”;

10 (3) by striking “to determine the nature” and
11 inserting “to determine—
12 “(1) the nature”;

13 (4) by striking “which are not licensed” and all
14 that follows through “entity”,”; and

15 (5) by adding at the end the following:

16 “(2) how interstate placements are being fi-
17 nanced across State lines;

18 “(3) recommendations on best practice models
19 for both interstate and intrastate adoptions; and

20 “(4) how State policies in defining special needs
21 children differentiate or group similar categories of
22 children.”.

23 **SEC. 204. STUDIES ON SUCCESSFUL ADOPTIONS.**

24 Section 204 of the Child Abuse Prevention and
25 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
26 5114) is amended by adding at the end the following:

1 “(b) DYNAMICS OF SUCCESSFUL ADOPTION.—The
2 Secretary shall conduct research (directly or by grant to,
3 or contract with, public or private nonprofit research agen-
4 cies or organizations) about adoption outcomes and the
5 factors affecting those outcomes. The Secretary shall sub-
6 mit a report containing the results of such research to the
7 appropriate committees of the Congress not later than the
8 date that is 36 months after the date of the enactment
9 of the Keeping Children and Families Safe Act of 2003.

10 “(c) INTERJURISDICTIONAL ADOPTION.—Not later
11 than 1 year after the date of the enactment of the Keeping
12 Children and Families Safe Act of 2003, the Secretary,
13 in consultation with the Comptroller General, shall submit
14 to the appropriate committees of the Congress a report
15 that contains recommendations for an action plan to facili-
16 tate the interjurisdictional adoption of foster children.”.

17 **SEC. 205. AUTHORIZATION OF APPROPRIATIONS.**

18 Section 205(a) of the Child Abuse Prevention and
19 Treatment and Adoption Reform Act of 1978 (42 U.S.C.
20 5115(a)) is amended to read as follows:

21 “There are authorized to be appropriated
22 \$40,000,000 for fiscal year 2004 and such sums as may
23 be necessary for fiscal years 2005 through 2008 to carry
24 out programs and activities authorized under this sub-
25 title.”.

1 **TITLE III—ABANDONED INFANTS**
2 **ASSISTANCE**

3 **SEC. 301. FINDINGS.**

4 Section 2 of the Abandoned Infants Assistance Act
5 of 1988 (42 U.S.C. 670 note) is amended—

6 (1) by striking paragraph (1);

7 (2) in paragraph (2)—

8 (A) by inserting “studies indicate that a
9 number of factors contribute to” before “the in-
10 ability of”;

11 (B) by inserting “some” after “inability
12 of”;

13 (C) by striking “who abuse drugs”; and

14 (D) by striking “care for such infants”
15 and inserting “care for their infants”;

16 (3) by amending paragraph (5) to read as fol-
17 lows:

18 “(5) appropriate training is needed for per-
19 sonnel working with infants and young children with
20 life-threatening conditions and other special needs,
21 including those who are infected with the human im-
22 munodeficiency virus (commonly known as ‘HIV’),
23 those who have acquired immune deficiency syn-
24 drome (commonly know as ‘AIDS’), and those who
25 have been exposed to dangerous drugs;”;

1 (4) by striking paragraphs (6) and (7);

2 (5) in paragraph (8), by inserting “by parents
3 abusing drugs,” after “deficiency syndrome,”;

4 (6) in paragraph (9), by striking “comprehen-
5 sive services” and all that follows through the semi-
6 colon at the end and inserting “comprehensive sup-
7 port services for such infants and young children
8 and their families and services to prevent the aban-
9 donment of such infants and young children, includ-
10 ing foster care services, case management services,
11 family support services, respite and crisis interven-
12 tion services, counseling services, and group residen-
13 tial home services; and”;

14 (7) by striking paragraph (11);

15 (8) by redesignating paragraphs (2), (3), (4),
16 (5), (8), (9), and (10) as paragraphs (1) through
17 (7), respectively; and

18 (9) by adding at the end the following:

19 “(8) Private, Federal, State, and local resources
20 should be coordinated to establish and maintain such
21 services and to ensure the optimal use of all such re-
22 sources.”.

23 **SEC. 302. ESTABLISHMENT OF LOCAL PROGRAMS.**

24 Section 101 of the Abandoned Infants Assistance Act
25 of 1988 (42 U.S.C. 670 note) is amended—

1 (1) by striking the section heading and insert-
 2 ing the following:

3 **“SEC. 101. ESTABLISHMENT OF LOCAL PROGRAMS.”; and**

4 (2) by striking subsection (b) and inserting the
 5 following:

6 “(b) PRIORITY IN PROVISION OF SERVICES.—The
 7 Secretary may not make a grant under subsection (a) un-
 8 less the applicant for the grant agrees to give priority to
 9 abandoned infants and young children who—

10 “(1) are infected with, or have been perinatally
 11 exposed to, the human immunodeficiency virus, or
 12 have a life-threatening illness or other special med-
 13 ical need; or

14 “(2) have been perinatally exposed to a dan-
 15 gerous drug.”.

16 **SEC. 303. EVALUATIONS, STUDY, AND REPORTS BY SEC-**
 17 **RETARY.**

18 Section 102 of the Abandoned Infants Assistance Act
 19 of 1988 (42 U.S.C. 670 note) is amended to read as fol-
 20 lows:

21 **“SEC. 102. EVALUATIONS, STUDY, AND REPORTS BY SEC-**
 22 **RETARY.**

23 “(a) EVALUATIONS OF LOCAL PROGRAMS.—The Sec-
 24 retary shall, directly or through contracts with public and
 25 nonprofit private entities, provide for evaluations of

1 projects carried out under section 101 and for the dissemi-
2 nation of information developed as a result of such
3 projects.

4 “(b) STUDY AND REPORT ON NUMBER OF ABAN-
5 DONED INFANTS AND YOUNG CHILDREN.—

6 “(1) IN GENERAL.—The Secretary shall con-
7 duct a study for the purpose of determining—

8 “(A) an estimate of the annual number of
9 infants and young children relinquished, aban-
10 doned, or found deceased in the United States
11 and the number of such infants and young chil-
12 dren who are infants and young children de-
13 scribed in section 223(b);

14 “(B) an estimate of the annual number of
15 infants and young children who are victims of
16 homicide;

17 “(C) characteristics and demographics of
18 parents who have abandoned an infant within 1
19 year of the infant’s birth; and

20 “(D) an estimate of the annual costs in-
21 curred by the Federal Government and by State
22 and local governments in providing housing and
23 care for abandoned infants and young children.

24 “(2) DEADLINE.—Not later than 36 months
25 after the date of the enactment of the Keeping Chil-

1 dren and Families Safe Act of 2003, the Secretary
2 shall complete the study required under paragraph
3 (1) and submit to the Congress a report describing
4 the findings made as a result of the study.

5 “(c) EVALUATION.—The Secretary shall evaluate and
6 report on effective methods of intervening before the aban-
7 donment of an infant or young child so as to prevent such
8 abandonments, and effective methods for responding to
9 the needs of abandoned infants and young children.”.

10 **SEC. 304. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 104 of the Abandoned Infants Assistance Act
12 of 1988 (42 U.S.C. 670 note) is amended—

13 (1) by striking subsection (a) and inserting the
14 following:

15 “(a) IN GENERAL.—

16 “(1) AUTHORIZATION.—For the purpose of car-
17 rying out this Act, there are authorized to be appro-
18 priated \$45,000,000 for fiscal year 2004 and such
19 sums as may be necessary for fiscal years 2005
20 through 2008.

21 “(2) LIMITATION.—Not more than 5 percent of
22 the amounts appropriated under paragraph (1) for
23 any fiscal year may be obligated for carrying out
24 section 224(a).”;

25 (2) by striking subsection (b);

1 (3) in subsection (c)—

2 (A) in paragraph (1), by inserting “AU-
3 THORIZATION.—” after “(1)”; and

4 (B) in paragraph (2)—

5 (i) by inserting “LIMITATION.—”
6 after “(2)”; and

7 (ii) by striking “fiscal year 1991.”
8 and inserting “fiscal year 2003.”; and

9 (4) by redesignating subsections (c) and (d) as
10 subsections (b) and (c), respectively.

11 **SEC. 305. DEFINITIONS**

12 Section 103 of the Abandoned Infants Assistance Act
13 of 1988 (42 U.S.C. 670 note) is amended to read as fol-
14 lows:

15 **“SEC. 103. DEFINITIONS.**

16 “For purposes of this Act:

17 “(1) The terms ‘abandoned’ and ‘abandon-
18 ment’, with respect to infants and young children,
19 mean that the infants and young children are medi-
20 cally cleared for discharge from acute-care hospital
21 settings, but remain hospitalized because of a lack of
22 appropriate out-of-hospital placement alternatives.

23 “(2) The term ‘acquired immune deficiency syn-
24 drome’ includes infection with the etiologic agent for
25 such syndrome, any condition indicating that an in-

1 dividual is infected with such etiologic agent, and
 2 any condition arising from such etiologic agent.

3 “(3) The term ‘dangerous drug’ means a con-
 4 trolled substance, as defined in section 102 of the
 5 Controlled Substances Act.

6 “(4) The term ‘natural family’ shall be broadly
 7 interpreted to include natural parents, grandparents,
 8 family members, guardians, children residing in the
 9 household, and individuals residing in the household
 10 on a continuing basis who are in a care-giving situa-
 11 tion with respect to infants and young children cov-
 12 ered under this subtitle.

13 “(5) The term ‘Secretary’ means the Secretary
 14 of Health and Human Services.”.

15 **TITLE IV—FAMILY VIOLENCE**
 16 **PREVENTION AND SERVICES**
 17 **ACT**

18 **SEC. 401. STATE DEMONSTRATION GRANTS.**

19 (a) UNDERSERVED POPULATIONS.—Section
 20 303(a)(2)(C) of the Family Violence Prevention and Serv-
 21 ices Act (42 U.S.C. 10402(a)(2)(C)) is amended by strik-
 22 ing “underserved populations,” and all that follows and
 23 inserting the following: “underserved populations, as de-
 24 fined in section 2003 of the Omnibus Crime Control and
 25 Safe Streets Act of 1968 (42 U.S.C. 3796gg-2);”.

1 (b) REPORT.—Section 303(a) of such Act (42 U.S.C.
 2 10402(a)) is amended by adding at the end the following:
 3 “(5) Upon completion of the activities funded by a
 4 grant under this title, the State grantee shall submit to
 5 the Secretary a report that contains a description of the
 6 activities carried out under paragraph (2)(B)(i).”.

7 **SEC. 402. SECRETARIAL RESPONSIBILITIES.**

8 Section 305(a) of the Family Violence Prevention and
 9 Services Act (42 U.S.C. 10404(a)) is amended—

10 (1) by striking “an employee” and inserting “1
 11 or more employees”;

12 (2) by striking “of this title.” and inserting “of
 13 this title, including carrying out evaluation and mon-
 14 itoring under this title.”; and

15 (3) by striking “The individual” and inserting
 16 “Any individual”.

17 **SEC. 403. EVALUATION.**

18 Section 306 of the Family Violence Prevention and
 19 Services Act (42 U.S.C. 10405) is amended in the first
 20 sentence by striking “Not later than two years after the
 21 date on which funds are obligated under section 303(a)
 22 for the first time after the date of the enactment of this
 23 title, and every two years thereafter,” and inserting
 24 “Every 2 years,”.

1 **SEC. 404. INFORMATION AND TECHNICAL ASSISTANCE CEN-**
2 **TERS.**

3 Section 308 of the Family Violence Prevention and
4 Services Act (42 U.S.C. 10407) is amended by striking
5 subsection (g).

6 **SEC. 405. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) GENERAL AUTHORIZATION.—Section 310(a) of
8 the Family Violence Prevention and Services Act (42
9 U.S.C. 10409(a)) is amended to read as follows:

10 “(a) IN GENERAL.—There are authorized to be ap-
11 propriated to carry out this title \$175,000,000 for each
12 of the fiscal years 2004 through 2008.”.

13 (b) GRANTS FOR STATE DOMESTIC VIOLENCE COA-
14 LITIONS.—Section 311(g) of such Act (42 U.S.C.
15 10410(g)) is amended to read as follows:

16 “(g) FUNDING.—Of the amount appropriated pursu-
17 ant to the authorization of appropriations under section
18 310(a) for a fiscal year, not less than 10 percent of such
19 amount shall be made available to award grants under this
20 section.”.

21 **SEC. 406. GRANTS FOR STATE DOMESTIC VIOLENCE COALI-**
22 **TIONS.**

23 Section 311 of the Family Violence Prevention and
24 Services Act (42 U.S.C. 10410) is amended by striking
25 subsection (h).

1 **SEC. 407. EVALUATION AND MONITORING.**

2 Section 312 of the Family Violence Prevention and
3 Services Act (42 U.S.C. 10412) is amended by adding at
4 the end the following:

5 “(c) Of the amount appropriated under section
6 310(a) for each fiscal year, not more than 2 percent shall
7 be used by the Secretary for evaluation, monitoring, and
8 other administrative costs under this title.”.

9 **SEC. 408. FAMILY MEMBER ABUSE INFORMATION AND DOC-**
10 **UMENTATION PROJECT.**

11 Section 313 of the Family Violence Prevention and
12 Services Act (42 U.S.C. 10413) is repealed.

13 **SEC. 409. MODEL STATE LEADERSHIP GRANTS.**

14 Section 315 of the Family Violence Prevention and
15 Services Act (42 U.S.C. 10415) is repealed.

16 **SEC. 410. NATIONAL DOMESTIC VIOLENCE HOTLINE**
17 **GRANT.**

18 (a) DURATION.—Section 316(b) of the Family Vio-
19 lence Prevention and Services Act (42 U.S.C. 10416(b))
20 is amended—

21 (1) by striking “A grant” and inserting the fol-
22 lowing:

23 “(1) IN GENERAL.—Except as provided in para-
24 graph (2), a grant”; and

25 (2) by adding at the end the following:

1 “(2) EXTENSION.—The Secretary may extend
2 the duration of a grant under this section beyond
3 the period described in paragraph (1) if, prior to
4 such extension—

5 “(A) the entity prepares and submits to
6 the Secretary a report that evaluates the effec-
7 tiveness of the use of amounts received under
8 the grant for the period described in paragraph
9 (1) and contains any other information as the
10 Secretary may prescribe; and

11 “(B) the report and other appropriate cri-
12 teria indicate that the entity is successfully op-
13 erating the hotline in accordance with sub-
14 section (a).”.

15 (b) AUTHORIZATION OF APPROPRIATIONS.—Section
16 316(f) of such Act (42 U.S.C. 10416(f)) is amended in
17 paragraph (1) by striking “fiscal years 2001 through
18 2005” and inserting “fiscal years 2004 through 2008”.

19 **SEC. 411. YOUTH EDUCATION AND DOMESTIC VIOLENCE.**

20 Section 317 of the Family Violence Prevention and
21 Services Act (42 U.S.C. 10417) is repealed.

1 **SEC. 412. DEMONSTRATION GRANTS FOR COMMUNITY INI-**
 2 **TIATIVES.**

3 (a) IN GENERAL.—Section 318(h) of the Family Vio-
 4 lence Prevention and Services Act (42 U.S.C. 10418(h))
 5 is amended to read as follows:

6 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
 7 are authorized to be appropriated to carry out this section
 8 \$6,000,000 for each of the fiscal years 2004 through
 9 2008.”.

10 (b) REGULATIONS.—Section 318 of such Act (42
 11 U.S.C. 10418) is amended by striking subsection (i).

12 **SEC. 413. TRANSITIONAL HOUSING ASSISTANCE.**

13 Section 319(f) of the Family Violence Prevention and
 14 Services Act (42 U.S.C. 10419(f)) is amended by striking
 15 “fiscal year 2001” and inserting “each of the fiscal years
 16 2004 through 2008”.

17 **SEC. 414. TECHNICAL AND CONFORMING AMENDMENTS.**

18 The Family Violence Prevention and Services Act (42
 19 U.S.C. 10401 et seq.) is amended as follows:

20 (1) In section 302(1) by striking “demonstrate
 21 the effectiveness of assisting” and inserting “assist”.

22 (2) In section 303(a)—

23 (A) in paragraph (2)—

24 (i) in subparagraph (C), by striking
 25 “State domestic violence coalitions knowl-
 26 edgeable individuals and interested organi-

1 zations” and inserting “State domestic vio-
2 lence coalitions, knowledgeable individuals,
3 and interested organizations”; and

4 (ii) in subparagraph (F), by adding
5 “and” at the end; and

6 (B) by aligning the margins of paragraph
7 (4) with the margins of paragraph (3).

8 (3) In section 305(b)(2)(A) by striking “provide
9 for research, and into” and inserting “provide for
10 research into”.

11 (4) In section 311(a)—

12 (A) in paragraph (2)(K), by striking
13 “other criminal justice professionals,;” and in-
14 serting “other criminal justice professionals;”
15 and

16 (B) in paragraph (3)—

17 (i) in the matter preceding subpara-
18 graph (A), by striking “family law
19 judges,,” and inserting “family law
20 judges,”;

21 (ii) in subparagraph (D), by inserting
22 “, criminal court judges,” after “family
23 law judges”; and

24 (iii) in subparagraph (H), by striking
25 “supervised visitations that do not endan-

1 ger victims and their children” and insert-
2 ing “supervised visitations or denial of visi-
3 tation to protect against danger to victims
4 or their children”.

○